



August 31, 2017

West Davis Corridor Team
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submitted via email only

Re: West Davis Freeway Final Environmental Impact Statement

Greetings West Davis Corridor Team,

Thank you for this opportunity to provide you with comments relative to the Final Environmental Impact Statement (FEIS) for the West Davis Highway (WDH). I make these comments on behalf of FRIENDS of Great Salt Lake, HEAL Utah, Utah Physicians for a Healthy Environment, Breathe Utah, League of Women Voters of Utah, Great Salt Lake Audubon, Western Wildlife Conservancy, Utah Native Plant Society (joining only those comments pertaining to native vegetation and their ecosystems), South Shore Wetlands and Wildlife Management, Inc., Utah Waterfowl Association, and Utahns for Better Transportation.

These organizations have members who reside in the State of Utah, including many members who live along the Wasatch Front and will be affected by decisions made about the proposed WDH. This transportation decision will affect the range of regional transportation options that these members will have well into the future and the quality of transportation services to which they will have access. This decision will also affect the quality of their air, in addition to the amount of open space, wetlands, wildlife habitat and other environmental amenities they will be able to enjoy. This decision will have a major impact on the health, individual and community economic welfare, and environmental quality that these members will experience. Because of this, the organizations and their members have a strong interest in ensuring that they and the public at large are fully and fairly informed about all reasonable alternatives to meeting the area's transportation needs, and about the environmental impacts of those alternatives.

Including certain wetlands parcels in the mitigation package

The Northpoint Parcels owned by Robert B. Swaner et al, parcel identifications 03-02-200-001-0000 (150.62 acres); 03-32-100-001-0000 (195.62 acres); 08-06-200-001-0000 (160.16 acre); 03-32-300-001-0000 (40 acres); 08-05-300-002-0000 (40 acres) ("Peninsula Property") as identified on Exhibit "1" attached hereto should be included in the mitigation package for the proposed WDH. These properties would improve the mitigation package by providing a buffer between the existing Great Salt Lake

Shorelands Preserve and the proposed roadway. Additionally, these parcels are utilized by nesting long-billed curlew, a sensitive species, as well as many species of shorebirds, waterfowl and many other species of wildlife. It is our understanding that the landowners are willing sellers, and therefore these parcels could be acquired as part of the proposed WDH mitigation package. Furthermore, we understand that the adjacent landowner (the North Point Duck Club) has expressed a desire and has the ability to partner in that acquisition and has the ability to not only maintain but enhance the wildlife habitat values in perpetuity, making the acquisition of these parcels uniquely positive for long-term conservation values and mitigation. Page 14-102 of the FEIS, Section "Overall Wildlife Impacts," addresses UDOT's proposed mitigation package. The last paragraph of the section includes language stating that "UDOT will consider further opportunities to acquire and preserve land for wildlife habitat and/or buffers to development throughout implementation of the project." This suggests that UDOT should consider acquisition of additional properties to benefit the mitigation package currently proposed. The Peninsula Property is an excellent candidate to meet this requirement as stated in the FEIS.

Designating the WDH as a scenic byway

The WDH should be designated as a scenic byway because it will be located on the edge of the Great Salt Lake Shorelands Preserve (Preserve) owned and managed by The Nature Conservancy. Due to its close proximity to the Preserve, a scenic byway designation would attract visitors to the area, help protect the Preserve and the wildlife that rely on it, and preserve the natural beauty of the area that locals and visitors alike enjoy. Scenic byways have benefits for the communities around them as well, both by attracting visitors and tourist dollars, but also by investing in the community itself. Communities would benefit from the scenic byway designation because it would require WDH to be constructed and maintained to the highest of standards for both aesthetic qualities and for the benefit of the lives around it, which gives the surrounding communities a sense of both pride and value. Also, designating WDH as a scenic byway would allow UDOT to prohibit billboards and other forms of visual clutter from the roadway, thus preserving the scenic value of the Great Salt Lake ecosystem. Also, billboards are unattractive to human visitors and have the potential of being hazardous to wildlife. The communities near WDH deserve that added attention and respect that would come with a scenic byway designation.

No Trucks on WDH

UDOT is proposing to allow trucks to service community needs within the corridor, theoretically reducing the amount of trucks that would be using WDH. However, there is a concern that allowing trucks to have access to WDH would open the door for future increased trucking potential. When Legacy Parkway was designated a parkway and a scenic byway, trucks were not allowed to use Legacy outside of unusual circumstances. The Settlement Agreement on Legacy sunsets in 2020 and the **No trucks** provision will no longer be a restriction. However,

community groups will work to continue the truck ban on Legacy. Communities, including Farmington City and their representative within the planning department, within the WDH corridor are also opposed to allowing trucks on WDH. A truck ban on WDH would benefit the communities who are already going to suffer impacts from the construction of WDH. Those communities deserve the protection a trucking ban would provide to them. A truck ban would also enhance WDH's designation as a scenic byway, as well as lessen the effects of WDH on the three schools located near WDH: Canyon Creek Elementary in Farmington, located 500 feet from the WDH; Kay's Creek Elementary in Kaysville, located 300 feet from WDH; and the Syracuse Arts Academy, located 150 feet from WDH. For further information on this issue, please see the air quality comments in this correspondence.

Native Vegetation and their Ecosystems (comments joined by the Utah Native Plant Society)

The FEIS native plant modeling and surveys have fatal flaws which prevent it from providing adequate data, which in turn prevents the FEIS from accurately determining environmental impacts to native vegetation and their ecosystems. Those flaws include:

- (a) Failing to fully disclose what plant species were identified in surveys;
- (b) Failing to properly survey the same areas at different times of the year (all surveys were done in early June), and by failing to survey in April-May for Carex and other earlier flowering plants such as Sedges, Rushes, and Spikerushes;
- (c) Surveys would seem to indicate a lack of competent surveyors in view of some of the more obvious errors, including: only including the 5 or 6 most dominant plants in the area in the surveys, misidentifying plants as "Ranunculus alismifolius" which is a high elevation only (although it is impossible to know what plant species this actually refers to, but it may be *Ranunculus cymbalaria*);
- (d) Survey assumptions that *Spiranthes diluvialis* doesn't occur in Davis Co. when it very likely does occur there, just as it occurs in Utah, Salt Lake, Weber and Cache Counties. This is a species that is difficult to survey and survey work has to occur in late July to mid-August. The species also doesn't always come up in the same place each year so multi-year surveys would be required in any freshwater marsh that might be impacted. *Spiranthes diluvialis* is a federally listed species under the Endangered Species Act. More background information on the species may be found at http://www.utahrareplants.org/pdf/Spiranthes_diluvialis.pdf, which is attached here as Exhibit "2";
- (e) Failing to recognize the increased eutrophication and pollution and lowered water quality generally in what few ponds and marshes are left at a time when low water levels in Great Salt Lake and wetlands has already become a major ecosystem and human health issue;
- (f) Construction and disturbance will exacerbate invasive weed problems, including the pervasively invasive Phragmites; and,

(g) The mitigation plan does not adequately address vegetation needs, and fails to specifically identify important native plants that should be used in mitigation.

Air Quality: Seeking better alternatives near schools

The road as currently designed will negatively impact three elementary schools: Canyon Creek Elementary in Farmington, located 500 feet from the WDH; Kay's Creek Elementary in Kaysville, located 300 feet from WDH; and the Syracuse Arts Academy, located 150 feet from WDH. Research shows that any highway closer than 500 feet to a school creates a substantial risk to school children from increased air pollution, especially from diesel truck emissions. Reduced lung capacity and increased asthma in children were reported in multiple freeway/school studies.¹ UDOT should include air filters and air monitors in all affected schools, and should also consider any and all opportunities to place WDH further from the Syracuse Arts Academy and Kay's Creek Elementary, if possible to do so without harming the Great Salt Lake ecosystem. Additionally, not allowing heavy trucks, as already mentioned in these comments, would decrease the risk to school children from increased emissions, and the WDH's close location to three schools further supports banning diesel trucks from WDH in order to decrease the substantial risk to children attending schools closer than 500 feet to a highway.

Utahns for Better Transportation (UBET) has joined WRA's comments in this letter, but also wishes to submit its own feedback regarding the WDH. UBET's comment are attached hereto as Exhibit "3," the Shared Solution Model is attached hereto as Exhibit "4," and previous correspondence from UBET pertinent to the FEIS is attached hereto as Exhibit "5."

Thank you again for the opportunity to submit comments relative to the Final Environmental Impact Statement (FEIS) for the West Davis Highway (WDH).

Very Truly Yours,

/s/ Ariel C. Calmes

Ariel C. Calmes

Staff Attorney

Western Resource Advocates

¹ James Gauderman, "Effect of exposure to traffic on lung development from 10-18 years of age," *The Lancet*, 26 January 2007; Arden Pope, "Health Effects of fine particulate air pollution," *Journal of Air and Waste Management Association*, 29 February 2012.